

ER 10-5029-2

7 JUL 1958

and
The Honorable Thomas C. Hennings, Jr.
Chairman, Subcommittee on Constitutional Rights
United States Senate
Washington 25, D. C.

Dear Mr. Chairman:

I have your letter of 26 June 1958 requesting that the Agency supply answers to the following questions:

1. What types of information and records in the possession of your department or agency are not available to members of the public or press upon request?
2. On the basis of what authority do you withhold such information or limit the availability of such records?

The following types of information and records within the Agency are not available to members of the public or press: Information relating to intelligence sources and methods or that information which tends to reveal intelligence sources and methods; information officially designated as "classified" either by the Central Intelligence Agency or by other agencies of the Government pursuant to appropriate statutes and Executive Orders; and information concerning the functions and organization of the Agency or the names, official titles, salaries, or numbers of personnel employed by the Agency. *with certain exceptions.*

The statutory basis for protecting such information is as follows: Section 102(d)(3) of the National Security Act of 1947, as amended (50 USC 401), provides "That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure." Further statutory authority appears in

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section 7 of the Central Intelligence Agency Act of 1947, as amended (50 USC 403(a)), which provides:

"In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 102(d)(3) of the National Security Act of 1947 (Public Law 253, Eightieth Congress, first session) that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of sections 1 and 2, chapter 795 of the Act of August 28, 1935 (49 Stat. 956, 957; 5 USC 654), and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: Provided, That in furtherance of this section, the Director of the Bureau of the Budget shall make no reports to the Congress in connection with the Agency under section 607, title VI, chapter 212 of the Act of June 30, 1945, as amended (5 USC 947(b))."

The classification of information affecting the national defense within the meaning of sections 793 and 794 of Title 18 of the U. S. Code is in accordance with the procedures specified in Executive Order 10501 with which I am sure the Subcommittee is familiar.

We are enclosing for your information a copy of the Agency Regulation [redacted] entitled "Protection and Disclosure of Information." It is hoped that the above will be helpful to your Subcommittee in its current study.

Sincerely,

SIGNED

Allen W. Dulles
Director

CONCURRENCE:

[redacted]
Assistant to the Director

Enclosure

cc: O & I - Addressee

1 - DCI

1 - DDCI

1 - ER

1 - Legislative C.

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1 - Security

OGC/LC:JSW:mks (3 July 58)

Security Office

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*Deep via
Leg. Counsel -
To add "with
certain exceptions"*
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about 7 2nd para.

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United States Senate

COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS
(PURSUANT TO S. RES. 234, 85TH CONGRESS)

Executive Registry
10-5029

June 26, 1958

Honorable Allen W. Dulles
Director, Central Intelligence Agency
2430 E Street
Washington, D. C.

Dear Mr. Dulles:

It would be very helpful to the Constitutional Rights Subcommittee in its current study of the subject of freedom of information if you would supply the subcommittee with answers to the following questions:

1. What types of information and records in the possession of your department or agency are not available to members of the public or press upon request?
2. On the basis of what authority do you withhold such information or limit the availability of such records?

Please send copies of all authorities cited, together with any directives, regulations (published as well as unpublished), instructions to personnel, letters, policy statements, and memorandums dealing with the availability of records and information.

I shall appreciate receiving a reply at your earliest convenience.

Sincerely yours,

Thomas C. Hennings, Jr.
Chairman

TCH:nlg

MEMORANDUM FOR: THE DIRECTOR

Enclosed is a proposed letter for your signature to Senator Hennings in response to his query for answers to certain questions. We have discussed this matter with the Chief Counsel for the Committee and the information we are furnishing will satisfy their requirements.

Recommend signature.


Legislative Counsel

3 July 1958
(DATE)

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FORM NO. 101 REPLACES FORM 10-101
1 AUG 54 WHICH MAY BE USED.

(47)

ROBERT S. HOPPS

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June 23, 1958

Mr. Allen Dulles
Central Intelligence Agency
Washington, D.C.

Dear Mr. Dulles:

Before and during both World Wars there was talk that the enemy was gathering espionage/sabotage data via insurance/reinsurance operations controlled by them. My father, Stewart B. Hopps, offered considerable aid to the O.S.S., F.B.I., etc., and I have his files. In fact, one letter was addressed to you. However, I need more information before I can write a proposed series of articles on the insurance business.

I therefore ask what information you can send me. Anything will be appreciated.

As a starting point, I list below a number of names which have popped up in my study:

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Sincerely,

Robert S. Hopps